

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER
NOVEMBER 10, 2009**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in regular session on Tuesday, November 10, 2009, in the Council Chambers of City Hall located at 610 Main Street.

CALL TO ORDER

Presiding Officer Mayor William J. Schmitt called the meeting to order at 8:00 a.m.

ROLL CALL

Mayor William J. Schmitt	Present
Board member Thomas R. Schmidt	Present
Board member Ambrose 'Butch' Schitter	Present

Also present were Police Chief Douglas Tarvin, Street Commissioner Raymond Eckerle, City Engineer Chad Hurm, Building Commissioner David Seger, Fire Chief Kenneth Hochgesang, Personnel/Safety Director Charles Schneider, City Attorney Sandra Hemmerlein and Clerk-Treasurer Juanita S. Boehm.

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the board members must be present. All board members were present; therefore, there was a quorum for the meeting.

PLEDGE OF ALLEGIANCE

Mayor Schmitt invited all those present to join him in reciting the Pledge of Allegiance.

APPROVAL OF THE MINUTES

The board members examined the minutes of the regular meeting held on October 27, 2009.

A **motion** was made by Ambrose 'Butch' Schitter and seconded by Thomas Schmidt to approve the minutes as published. Motion carried 3-0.

TRAFFIC LANE CLOSING ON NEWTON STREET

Roger Kern, representing Kern Tree Service, asked permission to close the eastbound lane of traffic on Newton Street from 17th Street to north of the 1738 residence in order to cut down a tree at 1738 Newton that is hanging over into the street. Kern said he wants to close the lane today for about two hours.

Mayor Schmitt said the City cannot give approval to close the lane because it is a highway but in the past INDOT said if it is in the City, the City can provide cones as long as two lanes are passable.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to allow Kern to close one lane provided he gets the necessary cones from the street department. Motion carried 3-0.

WEST VIEW ESTATES PERFORMANCE BOND REDUCTION

Terry Streicher, representing Streicher Construction, asked that the performance bond for West View Estates be reduced from \$20,000.00 to \$5,000.00. Streicher said they still need to complete some storm sewer work at the John Burger and Joe Miller properties.

City Attorney Sandra Hemmerlein told Streicher he needs to sign and provide a new performance bond and get a rider to the continuance bond from the bonding company.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the performance bond reduction from \$20,000.00 to \$5,000.00 on provision Streicher provides a new performance bond for \$5,000.00 to cover the work that needs to be completed. Motion carried 3-0.

STREET CLOSING

Dennis 'Bucket' Mehringer, representing Mehringer Plumbing and Heating asked permission to close a section of Truman Road from the top of the 'Y' to past 600 Truman Road in order to run a sanitary sewer across the road. He asked to close the road on November 12, 2009, starting after 8:00 a.m. after the school busses go through and re-open at 2:00 p.m. or 3:00 p.m.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request of Mehringer Plumbing and Heating to close Truman Road on Thursday, November 12, 2009, weather permitting, after 8:00 a.m. and re-open by 3:00 p.m. Motion carried 3-0.

ENCROACHMENT AGREEMENT

Maureen Braun, representing Finishing Touches, asked permission to encroach over the City's right-of way by installing a canopy awning over the entrance to their building at 505 Main Street. Braun said the awning would be 8' wide with a 5" drop, 88" off the sidewalk, and not closer than 2' from the face of the curb.

City Engineer Chad Hurm said the requirement for height clearance is 8' 4". Hurm then gave some examples of stores that had to meet that requirement. Braun said she preferred the 88" but the 100" requirement is acceptable.

City Attorney Sandra Hemmerlein said an encroachment agreement would have to be with the official property owners, Mike and Maureen Braun.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request of Mike and Maureen Braun as owners, with the exception the clearance height has to be 8' 4". Motion carried 3-0.

REQUEST TO USE DEPOT AND TRAIN CARS

Kristin Ruhe, representing Dubois County Tourism, said the Lincoln Hills Patoka Lake Regional Tourism is scheduling various meeting locations. The Dubois County Visitors Center wants to schedule one of these meetings on the

train cars on April 1, 2010 from 4:45 p.m. to 7:30 p.m. Because these are the organizations that promote tourism and in this case could promote the train, Ruhe asked the City to waive the rental fees for the use of the train depot and two or three train cars. There will be about 40-50 people. A catered meal is served at the meeting and then tours of the train will follow.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the request of Dubois County Tourism to use the train depot and train cars on April 1, 2010, from 4:45 p.m. to 7:30 p.m. to promote tourism with the fee being waived. Motion carried 3-0.

INDIANA RAILWAY MUSEUM AGREEMENT

City Attorney Sandra Hemmerlein said ROJAC is putting together train rides to Dubois for November 27 and 28, December 11, 12, and 19. A contact with Indiana Railway Museum [IRM] was emailed to Alan Barnett but he is out of town. Train rides to 15th Street have also been scheduled for December 6 during O'Tannenbaum Days. The contract also includes language if IRM wants to rent our cars for their events on December 3rd and 4th and January 1, 2010

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the contract with prices IRM has agreed to charge us for trips to Dubois and for short trips to 15th Street for O'Tannenbaum Days along with the three days they want to use it. Motion carried 3-0.

CAMERA TRUCK SOFTWARE QUOTES

Street Commissioner Raymond Eckerle reported that many years of work have gone into getting a storm sewer inspection software program that will tie into the database. It was a very complicated process to come up with the proper specifications.

City Attorney Sandra Hemmerlein then opened the following quotes:

Company		Price
1. Infrastructure Technologies, LLC New Mexico	Mobile System	
	(recommended based on specs)	
	Core License	\$ 2,900.00
	Inspection	\$ 2,100.00
	Digital Video Capture	
	Module with capture card	\$2,625.00
	Digital Indexing Module	\$1,000.00
	GIS Receive	\$1,995.00
	GPS Receive	\$1,995.00
	PACP Module	\$1,575.00
	Installation & Training	<u>\$2,400.00</u>
	Subtotal	\$16,590.00
	Optional:	
	Inclination Module	\$ 3,500.00
	Manhole Module	\$ 1,995.00
	Office System	
	Core License	\$2,900.00

Digital Indexing Module	\$1,000.00
GIS Receive	\$2,495.00
PACP Module	\$1,575.00
Training	<u>\$2,400.00</u>
Subtotal	\$10,370.00

2. Peninsula Technologies
Ada, Michigan

Core Function Cost	\$11,850.00
Inspection, Reporting, Analysis Cost	Included
Digital Video Controls Cost	Included
GIS Module Cost	\$ 3,658.00
Office Based Software Cost	\$ 3,325.00
PACP Module Cost	Included
Inclination Module Cost	<u>Included</u>
Total	\$18,833.00

3. Pipe Logistics
CA.

No quote submitted

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to take the quotes under advisement and have the street commissioner and any other employees working on the project go through the specs and come back to the next meeting with a recommendation. Motion carried 3-0.

BADENDORFF PROJECT

City Engineer Chad Hurm said the Badendorff storm sewer project is near completion. He met with the contractor last Friday and walked through the project. There will be some paving changes that will require a change order.

Mayor Schmitt said if a change order is needed for the changes then Hurm needs to get approval before the work is done.

Hurm said he is looking at the next phase and how to proceed.

CHANGE ORDER FOR 4TH STREET PROJECT

City Engineer Chad Hurm said since the bid for the 4th Street Sidewalk and Storm Sewer Replacement project was lower than the engineer’s estimate, the City decided to look at what additional work could be included in the project in order to use the CDBG funds that are earmarked for this project.

Hurm then presented a change order for \$19,774.91 for additional curb and gutter work and for more piping. There was some discussion whether this Board or the Council approves any change orders for this project since the Council was the board that had to award the contract.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the change order and the Council to re-affirm the decision and ask the

Council to give the Board of Public Works and Safety the authority to approve change orders. Motion carried 3-0.

FIRE STATION #2 PARKING LOT CHANGE ORDER

City Engineer Chad Hurm presented a change order for two items for the fire station #2 parking lot project. The changes are as follows:

1. an add of \$712.75 for # 53 rock aggregate
2. a deduct of \$1,050.00 for curb modification

Hurm asked the Board to approve the change order for a net deduct of \$337.25.

Mayor Schmitt said these types of change orders need to be discussed by the Board and the decisions should not be made out in the field.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve change order #1 for the Fire Station #2 Parking Lot Replacement project for a deduct of \$337.25. Motion carried 3-0.

STREET DEPARTMENT REPORTS

Leaf Collection. Street Commissioner Raymond Eckerle said since the majority of the leaves came down at one time, leaf collection is about 1 ½ days behind schedule, but they are collecting from sun up to sun down including Saturday mornings. Eckerle wanted to publicly "Thank" the street department employees and asked the public to be patient.

Tree on Jackson Street. Eckerle reported that Tree Pro did the work on the tree on Jackson Street and it is down and gone but dirt needs to be put into the hole.

6th Street Tree Project. Eckerle said project went well and the tree is removed.

4th Street project. Eckerle said about 100 feet of stencil sidewalk has been installed along 4th Street.

Milling. Tomorrow milling will be done on Martha and Linne Streets. Maple Crest paving and milling will be done on Thursday.

FIRE DEPARTMENT REPORT

Fire Chief Kenneth Hochgesang presented to the Board for its review the following report for the Jasper Fire Department.

Vehicle & Maintenance Report for October 2009.

Hochgesang was asked about the fire at Holy Family School during a basketball game. Hochgesang replied it was burned popcorn.

DISPATCHING FIRST RESPONDERS

Mayor Schmitt said the City has been working with the County about streamlining the first responders for medical emergencies. County 911 Dispatch will dispatch first responders when the ambulance is called out.

Schmitt said the city attorney will work with the county attorney to prepare the paperwork for this change.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the change of paging out of first responders and authorize the Mayor to sign the agreement with the County. Motion carried 3-0.

PETITION TO REDUCE SPEED LIMIT ON ST. CHARLES STREET

Police Chief Douglas Tarvin said since the October 13, 2009 meeting when some St. Charles Street residents presented a petition to reduce the speed limit along St. Charles Street from Schuetter Road to 36th Street, a committee was formed and met to discuss the traffic concerns for that area. Resident Rich Merder and Council member Kevin Manley also attended the meeting.

Mayor Schmitt said three things resulted from that meeting. First, the police department was asked to step up enforcement in that area; second, the residents have a genuine fear that someone along the walking path or in a yard could get hurt, and third, the committee is looking at other options as well as the cost to remind drivers what the speed limit is.

POLICE DEPARTMENT REPORTS

Police Chief Douglas Tarvin presented to the Board for its review the following reports for the Jasper Police Department.

Monthly Vehicle Fuel & Maintenance Report for September, 2009.

Southwestern Training Council. All Jasper police officers attended training at the Arts Center last week that was sponsored by the Southwestern Training Council. The training session went very well.

DUBOIS COUNTY COMMUNITY FOUNDATION CONTRACT

City Attorney Sandra Hemmerlein presented a contract between the City and the Dubois County Community Foundation for December 21, 2009 to December 20, 2010. The foundation wants to continue to lease the building at 323 E. 6th Street on a year to year basis.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to enter into a contract with the Dubois County Community Foundation to rent the property at 323 E. 6th Street. Motion carried 3-0.

AGREEMENT WITH AMOS SCHWARTZ CONSTRUCTION

Mayor Schmitt said Amos B. Schwartz has been working at the Mill on the grinding process and on the wheel. He has been working through ROJAC but now that the Mill is City property, Schwartz needs to have a contract with the City. Schmitt said the City needs to have the say so if someone works on City property.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to enter into an agreement with Amos B. Schwartz Construction for certain work on the Mill with any future work getting approved before it takes place and the Mayor Schmitt has the right to sign. Motion carried 3-0.

VETERAN'S DAY

Mayor Schmitt said tomorrow is Veteran's Day and most City departments will be closed. He said he feels it is appropriate to close in order to honor the veterans. He 'thanked' the men and women in service, both past and present and said we owe them a great deal. A moment of silence was held.

CLAIMS. Claims against the City from October 9, 2009 to November 5, 2009 were presented to and examined by the board. Those claims found to be just, due and owing were approved 3-0 upon motion by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter.

ADJOURNMENT. There being no further business to come before the board a motion was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to adjourn the meeting. The motion carried 3-0 and the meeting adjourned at 9:32 a.m.

The minutes were hereby approved X with _____ without corrections or clarification this 24 day of November, 2009.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Margaret A. Kress, Recording Secretary